

REMARKS

This is in full and timely response to the non-final Office Action dated September 22, 2006 in this RCE. A petition to extend the time for this response to and including the second extended month accompanies this submission. Reexamination and reconsideration are respectfully requested and favorable action requested in light of the amendments to the claims and the interview conducted with the examiner.

Substance of Interview

The courtesy of the interview granted by Examiner Conley to the Applicant, George S. Panton, Jr., and to his undersigned representative at 11:00 a.m. on Wednesday, February 21, 2007 is acknowledged with appreciation. At the interview, it was initially noted that the specificity of this response in contrast to the earlier approaches was greater, and that for this response, the Applicant would not be relying on his Rule 131 rights, but without waiving those rights for future cases. Rather, the approach to the patentability of this application now focused on the integral, molded pin in a side hand-hold as discussed in the specification as filed. To refresh the recollection of the examiner, two photographs of three boards are appended to this response in which the Applicant's board (of the invention) is the green board, while the pin techniques of the applicable art are shown in the orange (Pro-Lite) and yellow (BAXSTRAP) boards. The blowups of the boards show a contrast in the pin attachment sites.

In addition, a brochure of the Applicant's MAXX board is enclosed (briefly discussed at the interview), summarizing features of the Applicant's board versus competitor's boards. It will be recalled that the BAXSTRAP board (the yellow board) of the type shown at the interview has a moulded pin, but the moulded pin in a separate pin piece, and is not an integral moulded pin as now claimed for the Applicant's board.

As the Applicant explained in the interview, the Applicant's claimed pin structure is integral to the board and is made of the same material as the board itself, without separate members for the pins themselves. The courtesy of the Examiner's suggestions regarding structural and functional differences is acknowledged with appreciation. It was there suggested that attention would be given to the barbell shape of the pin at the attachment site on the board for a speed clip placement. See, for example, paragraph 0012 of the specification as filed. In that same paragraph, mention is made of the downwardly tapered tail end of the board, that is further discussed in paragraph 0069 in the specification as filed. Other features and advantages of the Applicant's board were also discussed generally, including its non-absorption of fluids at the integral molded pin site, or elsewhere.

On the basis of this presentation, it was tentatively considered that the structural and functional emphasis would likely distinguish over the art of record. It is believed that this is a full and fair presentation of the substance of the interview under MPEP 713.04, but the examiner is invited to present additional reactions to the presentation that were remarkable.

Rejection of Claims 16 to 20 under 35 USC 103

Claims 16 to 20 are amended relative to those submitted with the RCE, and new claims 75 to 93 added. New claims 75 to 93 are also provided to give range and scope to claims drawn to the invention. Claims 16 to 20 were rejected as unpatentable over Richmond '170 in view of Nixon '784 and further in view of Bologovsky et al. The examiner had taken Official Notice that it is well known to employ thermo-welding as a bonding means; a citation to that effect is respectfully requested. However, none of these references, taken alone or in proper combination shows the claimed features of the amended claims.

Specifically, none of the references of record in proper combination teaches a method of making a spine board with a speed clip attachment site that has an integral molded pin made from the same material as the board for receiving a quick-connecting clip when strapping a patient to the spine board. Further, none shows thermo-welding a pair of mating board portions to define a hollow unitary board while incorporating the integral molded pin at the speed clip attachment site. Finally, none of the references shows a board that is sealed after filling sufficiently to prevent a migration path for fluids from the outside to the inside of the board including at the defined speed clip attachment site.

Claims 85 notes the barbell-shaped integral molding pin to center the speed clip at a center of the pin, as do claims 88 and 91. Claims 86, 89 and 92 note that the integral molded pin is located between opposed side walls of a hand-hold in the board. Claims 87, 90 and 93 recited that features of the downwardly turned tail portion in each of the pair of mating portions and the functions achieved. All of these claimed features are taught in the original specification as filed.

None of these specific features is taught by the references so that the invention claimed in these amended method claims are patentable over Richmond, Nixon, and Boglovosky, whether or not Richmond is overcome by the Applicant's Rule 131 showing, and his drawing with the dates preceding the filing of the Richmond activity. On this latter point, an original copy of that drawing was shown to the examiner to confirm for the record that the two dates that were blacked out each antedated Richmond's provisional filing, even though that point is not dispositive for this presentation.

Support for the language referring to the migration path for fluids, such as blood-borne pathogens, is at paragraph [0031] among other locations.

A new claim 75 is provided referring to a spine board made from a thermoplastic material, similarly referring as in claim 16 to a plurality of speed clip attachment sites, and again referring to the supported feature of preventing a migration path for fluids to the interior of the

board, including at the speed clip attachment sites. Claims 76 to 79 are similar to claims 17 to 20. A new claim 80 is provided that is more specific but at the very least referring to the patentable features of amended claims 16 and 75.

Reconsideration of amended claims 16 to 20 and new claims 75 to 93 is respectfully requested and an early Notice of Allowance solicited. In the event that issues remain, as noted at the interview, the examiner is invited to telephone the undersigned for a prompt resolution.

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Respectfully submitted,

By 

Ronald P. Kananen

Registration No.: 24,104

RADER, FISHMAN & GRAUER PLLC

1233 20th Street, N.W.

Suite 501

Washington, DC 20036

(202) 955-3750

Attorney for Applicant

Attachments: (1) Photographs of three boards shown at the interview; and
(2) Applicant's brochure with a chart summarizing features different from the art.